

## **AMENDMENTS TO THE CLAIMS**

The listing of claims will replace all prior versions, and listings, of claims in the application:

### **Listing of Claims:**

Claims 1 and 2. (Cancelled)

Claim 3. (Previously Amended) A radio base station comprising a traffic control unit, the traffic control unit comprising:

receiving means for receiving data;

traffic control means for carrying out traffic control of the data received by said receiving means; and

transmission means for transmitting the data passing through the traffic control by said traffic control means,

wherein said traffic control means carries out traffic control of data to be transmitted to a local switch through a transmission path between the radio base station and the local switch for transmitting data between the radio base station and the local switch, from among the data received by said receiving means, and

said traffic control means carries out the traffic control by discarding data unconformable to the traffic condition, or regulating transmission of the data unconformable to the traffic condition to meet the traffic condition,

wherein said data takes place in a burst mode at a period proper to the data, and wherein said traffic control means carries out, for the data received by said receiving means, the traffic control such that a cumulative transmission volume in a traffic monitoring period defined by taking account of the proper period does not exceed a volume based on a traffic rate.

Claim 4. (Previously Amended) A traffic control unit for carrying out traffic control of data taking place in a burst mode at a period proper to the data, said traffic control unit comprising:

receiving means for receiving the data:

traffic control means for carrying out the traffic control for the data received by said receiving means such that a cumulative transmission volume in a traffic monitoring period defined by taking account of said proper period does not exceed an allowed transmission volume based on a traffic rate; and

transmission means for transmitting the data controlled by said traffic control means.

Claim 5. (Previously Amended) The traffic control unit as claimed in claim 4, wherein said traffic control means carries out, for the data received by said receiving means, peak traffic control such that a cumulative transmission volume in a peak traffic monitoring period defined by taking the account of the proper period does not exceed an allowed transmission volume based on a peak traffic rate, and sustainable traffic control such that a cumulative transmission volume in a sustainable traffic monitoring period defined by taking the account of the proper period does not exceed an allowed transmission volume based on a sustainable traffic rate.

Claim 6. (Original) The traffic control unit as claimed in claim 5, wherein said sustainable traffic control is carried out by sliding the sustainable traffic monitoring period at every peak traffic monitoring period.

Claim 7. (Previously Amended) The traffic control unit as claimed in claim 5, wherein said peak traffic control period is equal to said proper period, and said sustainable traffic control period is equal to  $n$  times said proper period, where  $n$  is a natural number.

Claim 8. (Previously Amended) The traffic control unit as claimed in claim 4, wherein said data consists of ATM cells generated from a radio frame, and said proper period equals a radio frame period.

Claim 9. (Cancelled).

Claim 10. (Previously Presented) A traffic control method for carrying out traffic control of data taking place in a burst mode at a period proper to the data, said traffic control method comprising the steps of:

receiving the data;

carrying out the traffic control of the data received such that a cumulative transmission volume in a traffic monitoring period defined by taking account of the proper period does not exceed an allowed transmission volume based on a traffic rate; and

transmitting the data passing through said traffic control.

Claims 11-19. (Cancelled).

Claim 20. (Previously Amended) The radio base station as claimed in claim 3, wherein said traffic condition is a condition that an amount of data transmitted by a user does not exceed a predetermined amount.

Claims 21-23. (Cancelled).